

1 IN THE UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF OHIO

3 EASTERN DIVISION

4
5 KRYSTAL MOSHOLDER, et al.,) CASE NO. 5:18cv1325

6 Plaintiffs,) JUDGE SARA LIOI

7 versus)

8 LOWE'S COMPANIES, INC.,) **DEPOSITION OF**
9 et al.,) **CAMERON CHILDERS**

10 Defendants.)

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12
13 Deposition of **CAMERON CHILDERS**, a Witness herein,
14 called by the Plaintiffs for Cross-Examination pursuant
15 to the Ohio Rules of Civil Procedure, taken before me,
16 the undersigned, Anika W. Patrick, a Registered Merit
17 Reporter, Certified Realtime Reporter and Notary Public
18 in and for the State of Ohio, at the offices of Roetzel
19 & Andress, 222 South Main Street, Suite 400, Akron,
20 Ohio, on Friday, December 27, 2019, at 9:04 p.m.

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I N D E XEXAMINATION BYPAGE

Mr. Eoff

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PLAINTIFF'S EXHIBITS MARKED

None

DEFENDANT'S EXHIBITS MARKED

None

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1 WHEREUPON,

2 RAYMOND PETRO,

3 after being first duly sworn, as hereinafter
4 certified, testified as follows:

5 CROSS-EXAMINATION

6 BY MR. EOFF:

7 Q. Okay. So, Cameron, so my name is Craig Eoff. I'm
8 an attorney for Krystal and Danny Mosholder. You
9 and I just met before the deposition started, I
10 think for the first time. I don't know that I've
11 ever met you before. The first thing I'd like you
12 to do, if you don't mind is, to state your full
13 name and spell your last name for the record.

14 A. Cameron Childers, C-h-i-l-d-e-r-s.

15 Q. And, Cameron, what is your current address?

16 A. 2508 Nedra, Akron, Ohio.

17 Q. And how long have you lived there?

18 A. Eleven years.

19 Q. Okay. So have you ever given a deposition before?

20 A. No.

21 Q. All right. Fair enough. So let me go over a
22 little bit of how this works and what's going to
23 happen. It functions much the way it has so far.
24 I'm going to ask you questions and you're going to
25 answer them under oath. As you can see, the court

1 reporter over here is taking down everything that
2 you and I are saying. Okay. So in order for her
3 to do that, there's a few rules that you and I
4 need to live by so that this functions properly.
5 The first is that, and I'm bad at this, I admit
6 it, you have to let me finish asking my question
7 before you try to answer, and I'm going to try not
8 to say anything further until you're done
9 answering, because if you and I are talking over
10 each other, it's hard for her to get both
11 of -- down what both of us are saying.

12 A. (Witness nodding head up and down.)

13 Q. The other thing is, is that, and you just did that
14 with that nod. Your responses today need to be
15 verbal.

16 A. Verbal, okay.

17 Q. Okay. Because she can't take down nods of the
18 head, gestures.

19 A. Correct.

20 Q. Okay. If you need to take a break for any reason,
21 you need to use the restroom, whatever the case
22 may be, just let me know. This is not an
23 inquisition. I'm not trying to make you
24 uncomfortable. The only thing I'm going to ask is
25 that if I have a question pending, that you answer

1 the question before we take a break.

2 A. Okay.

3 Q. Does that make sense?

4 A. Yes, sir.

5 Q. Okay. This is probably the most important in a
6 lot of ways, if you answer my question, I am going
7 to assume and the record is going to assume that
8 you understood my question. If I ask a question
9 that you don't completely understand or I ask a
10 bad question in some way, ask me to rephrase it or
11 explain it a little bit better and I will, because
12 as I said, if you answer the question, we're going
13 to assume that you understood my question and that
14 your answer makes sense to the question I asked.

15 A. Okay.

16 Q. Okay. All right. So let's get into -- so are you
17 currently employed, Cameron?

18 A. Yes.

19 Q. Who do you work for?

20 A. Lowe's Home Improvement.

21 Q. And how long have you been with Lowe's?

22 A. Eighteen years.

23 Q. What is your current position?

24 A. Store manager.

25 Q. All right. So when you say "store manager," you

1 are running a specific store for Lowe's, correct?

2 A. Correct.

3 Q. And that specific store is what store?

4 A. The Brimfield, Kent location.

5 Q. And that's the location at 218 Nicholas Way, Kent,
6 Ohio?

7 A. Yes.

8 Q. Okay. How long have you worked at that particular
9 store?

10 A. Going on four years.

11 Q. All right. Prior to being a store manager, what
12 was your position with Lowe's?

13 A. Operations manager.

14 Q. And were you the operations manager at the Kent
15 location that we just spoke about?

16 A. No, sir.

17 Q. All right. What location did you work at then?

18 A. Wadsworth, Ohio.

19 Q. And how long were you at Wadsworth?

20 A. Three years.

21 Q. Generically I've referred to, and we've referred
22 to throughout this case, this Kent, Ohio, as the
23 Brimfield store.

24 A. Yes.

25 Q. So if I use the term "Brimfield store," I'm

1 talking about your store at 218 Nicholas Way.

2 A. Correct.

3 Q. Okay. Prior to working at the Wadsworth location,
4 where did you work?

5 A. Fairlawn location.

6 Q. And you did what for the Fairlawn location?

7 A. I was assistant manager for three different
8 segments of the store. They call them zones, zone
9 1, 2, and 3.

10 Q. Okay. So in your duties today as a store manager,
11 talk to me a little bit about what your day looks
12 like.

13 A. I guess it's -- it could run the gamut. It's
14 customer relations, employee relations,
15 merchandising, operations. It's everything, I
16 guess you can say, under the sun. It comes at you
17 in different ways. It comes at you -- it's hard
18 to put it in words, but you walk into the store
19 and everybody needs you, it seems like.

20 Q. Yeah, absolutely. I think I understand that. So
21 you obviously, you have responsibility to manage
22 employees?

23 A. Correct.

24 Q. You're obviously dealing with customers, good and
25 bad?

1 A. Correct.

2 Q. If there's complaints, you're the guy dealing with
3 that?

4 A. Correct.

5 Q. Okay. I'm assuming that you have reporting
6 requirements and things that you have to do for
7 Lowe's corporate?

8 A. Correct.

9 Q. Okay. In terms of safety protocols, keeping the
10 store safe, for instance, from, you know, debris,
11 spills, things that might potentially cause injury
12 to a customer or an employee, what are your
13 responsibilities in that regard?

14 A. Well, the entire store is responsible for that.
15 We have something called our daily safety hazmat
16 review, or DSHR, where we walk the floor looking
17 for any kind of issues that could be detrimental
18 to customers, and we address them. And it's
19 digital now. It used to be written, but now it's
20 digital.

21 So each department has a, I guess
22 a -- they come in, they walk through their
23 department. If there's a spill, it's addressed.
24 Notated and addressed. If there's a -- something
25 that looks dangerous and top stock, it's notated

1 and addressed and we follow up to make sure that
2 everything's addressed.

3 Q. So when you talk about this being digital, I'm a
4 Lowe's employee, let's say -- hold on a minute. I
5 apologize.

6 Okay. So we were talking about I'm a
7 Lowe's employee. I work in paint, for instance,
8 and I see some condition that I think might be
9 potentially hazardous. I enter that into some
10 type of -- I put that in some type of computer
11 system?

12 A. Correct.

13 Q. Okay. What happens to it at that point?

14 A. You address the issue.

15 Q. So I log the fact that I saw it?

16 A. Correct.

17 Q. And then I'm supposed to take action?

18 A. Yeah.

19 Q. Okay.

20 A. You could even take action before you log it. You
21 can say you see something that's a slip hazard,
22 you can address the slip hazard, then you can put
23 it in the computer, walked into aisle 2, that's
24 where our paint department is, there was a slip
25 hazard, I addressed it and this was the cause and

1 whatnot.

2 Q. Okay. So would you then see that at a later time?

3 A. Correct.

4 Q. Okay. And you review those types of reports on a
5 regular basis?

6 A. Correct.

7 Q. All right. In the event that someone were in your
8 store and was bitten by an animal that's in the
9 store, would that get into that same system?

10 A. I think it would go a different route. I think it
11 would go to our -- how can I put this? Cedric is
12 our liability -- we would put a report in, a
13 report that something like that had happened.

14 Q. Cedric is -- Cedric who?

15 A. Insurance. It's who we report our insurance
16 claims to.

17 MR. RESETAR: Sedgwick.

18 Q. Okay. Sedgwick. I do know who Sedgwick is.

19 Okay. So I'm that same employee in paint and I
20 witness a dog bite a customer. I'm clearly going
21 to try to address that, make sure the customer is
22 okay?

23 A. Correct.

24 Q. That's my first step?

25 A. You would get a manager involved right away.

1 Q. Okay.

2 A. A senior member of leadership would come and help
3 right away.

4 Q. Okay. And what should I expect that manager to do
5 at that point in time?

6 A. To document the situation.

7 Q. So it's going to go into that computer system, but
8 this time it's being reported to Sedgwick as
9 opposed to --

10 A. Correct.

11 Q. Do you see those reports?

12 A. Yes. I guess I look at it from a different way.
13 I see all our incidents in the store, so --

14 Q. Okay.

15 A. We get a rundown each week of our previous week's
16 incidents, and I usually go through them just
17 looking for things that we could have done better
18 or differently.

19 Q. Okay. So just so that I understand, if somebody
20 drops, you know, if an employee drops a piece of
21 lumber on their foot and injures themselves?

22 A. Correct.

23 Q. Or a dog bites a customer?

24 A. Correct.

25 Q. That would get reported into the same system?

1 A. Well, it's a different system, but immediately it
2 would get reported to a senior member of
3 management. And then we have a little form that
4 we would take and we would start filling out just
5 so we can have the necessary information when
6 we're putting it in the computer.

7 Q. So it's a different system. Is that because -- is
8 it because the example I gave was the person with
9 the lumber was an employee?

10 A. Yes. And it's a different system because the DSHR
11 is an everyday thing. It's a detail safety
12 review. So what you're talking about is something
13 that would probably happen outside of the daily
14 safety review.

15 Q. Okay.

16 A. But it is reported, I guess you could say, the
17 same way, but in a different format to a different
18 person.

19 Q. So are incidents involving a customer versus an
20 incident involving an employee reported in a
21 different path?

22 A. Same way.

23 Q. Okay.

24 A. Different paperwork, same way.

25 Q. Okay. Fair enough. Because obviously one could

1 lead to a workers' compensation claim?

2 A. Correct.

3 Q. And the other one doesn't. Okay. That makes
4 sense to me. So let's go to March 15th, 2018.
5 Obviously the basis of this lawsuit is my client,
6 Krystal Mosholder, being in your store on March
7 15th, 2018 and we'll just say meeting a dog in the
8 store that day. Are you familiar with that
9 incident?

10 A. Yes.

11 Q. Okay. How are you familiar with that incident?

12 A. The, I guess, current litigation, the reported
13 incident.

14 Q. Okay. So when you say "the reported incident,"
15 tell me in your words what was reported.

16 A. Well, obviously I meet with Chad once a week, me
17 and my operations manager at the time, and we go
18 over things. And he explained to me that there
19 was an alleged incident of a dog biting a
20 customer. Then we go over, you know, did you look
21 at the camera? Did you do this? Did you do that?
22 And then did you get Ray involved? Because Ray is
23 our, like our error, loss prevention individual
24 and then where we are at from that.

25 Q. Okay. So when you talked to Chad, Chad's last

1 name, is it Fiegly?

2 A. Fiegly.

3 Q. Fiegly. F-i-e-g-l-y; is that correct?

4 A. Yeah, I believe so.

5 Q. Okay.

6 A. I hope so.

7 Q. So when you first learned of the dog bite incident
8 involving Ms. Mosholder, it was from Chad?

9 A. Yeah, and it was after the fact. I mean, I don't
10 even know -- if that happened on the 14th or 15th,
11 I mean, this was like a week, maybe, or so later,
12 so --

13 Q. Okay. So you weren't made immediately aware of
14 the fact that there had been a dog bite situation?

15 A. No.

16 Q. Okay. And the way you were made aware is in -- is
17 it fair for me to characterize it as a normal,
18 standard meeting that you would have weekly with
19 Chad?

20 A. Yes. Or it could -- actually, let me rephrase
21 that. Yeah, I have normal structured meetings
22 with him, but I pretty much meet with my senior
23 team at least once a day throughout the day and we
24 go over what's going on for the day, what we're
25 planning for the next week. And throughout the

1 course of one of those meetings, he said, hey, we
2 just got a call or whatever about this incident.

3 Q. So talk to me about what he told you. He said
4 that they got a call?

5 A. Yeah.

6 Q. Did he tell you from who?

7 A. No. Not at the time, no.

8 Q. Did he tell you what was said in this call?

9 A. That there was an alleged dog -- a dog had
10 allegedly bit a customer.

11 Q. Did he give you any additional details about the
12 incident?

13 A. Spoke to Ray and then I think, I don't know if it
14 was at that time, but subsequently he stated that
15 Stacy, who had worked in our pro services at the
16 time --

17 Q. Stacy Williams?

18 A. Yes, was there, so of course I went down to talk
19 to Stacy.

20 Q. Okay. So when you talked to Stacy, what did Stacy
21 tell you?

22 A. She stated that there was no dog bite.

23 Q. Okay. Is that all she said?

24 A. She said the customer came in and went to pet the
25 dog, it happens a lot, you know, and that the dog

1 kind of reared back, but did not -- she didn't
2 state the dog bit the customer at all.

3 Q. Okay. Did she specifically say that the dog
4 didn't bite the customer or did she say she didn't
5 see the dog bite the customer?

6 A. That's a -- I believe she said she didn't see the
7 dog bite the customer.

8 Q. Okay. Fair enough. Your conversation with Stacy
9 about this incident took how long?

10 A. A couple minutes.

11 Q. Okay.

12 A. Not long.

13 Q. Okay. Was anyone else involved in that
14 conversation?

15 A. I want to say Chad was with me, but he wasn't with
16 me because it was down at the pro desk. I think
17 he was talking to somebody else.

18 Q. Sure.

19 A. Then after that I went and called Ray.

20 Q. Okay. What did you and Ray discuss at that point
21 in time?

22 A. Ray was going to pretty much investigate the
23 incident, check the cameras, see if we can see
24 anything and go from there.

25 Q. Okay. Did he ever report back to you on what he

1 found on the cameras?

2 A. Yes.

3 Q. Okay. What did he tell you?

4 A. He didn't see anything that would relate to that
5 incident, I guess you could say.

6 Q. Okay. Did anybody indicate to you that
7 this -- the incident, the dog bite that we're
8 talking about from March 15th, 2018, took place in
9 the spray paint aisle?

10 A. Yes.

11 Q. Okay. And are you aware -- Ray, I'll let
12 you -- I'll tell you, Ray testified that the spray
13 paint aisle in your -- in the Brimfield location
14 is not covered by a security camera.

15 A. No.

16 Q. So you're aware of that fact?

17 A. Correct.

18 Q. Okay. So it wouldn't be surprising, obviously, to
19 you that when Ray looked at the video footage from
20 the store that day, he's not going to find this
21 dog bite incident because if it happened in the
22 spray paint aisle, there's no camera there, right?

23 A. Correct. But I also think he looked at the exit
24 and entrance.

25 Q. He did. He did.

1 A. Yeah.

2 Q. I've seen the video. In fact, he gave me -- you
3 guys have produced the video clips of both my
4 client from the time she gets to the store and
5 walked around the store and leaves and the same
6 with the gentleman with the dog. What we don't
7 have, obviously, is video of the spray paint aisle
8 where this is alleged to have happened. And I'm
9 just trying to confirm with you that you would
10 believe that to be accurate, that there would be
11 no video of that spray paint aisle?

12 A. Correct.

13 Q. Okay. You were not present at the store that day,
14 to your recollection? You don't -- you weren't
15 there when this happened?

16 A. Correct.

17 Q. Okay.

18 A. I think I was there that day, but I think it
19 happened after I left.

20 Q. It's fair to say you did not witness the event?

21 A. No.

22 Q. At all, correct?

23 A. No.

24 Q. Have you talked to anyone else that's a Lowe's
25 employee or a customer, anyone that was in the

1 store that day, other than Stacy Williams, who
2 claims to have seen this at all?

3 A. No.

4 Q. No?

5 A. Not to my knowledge, no.

6 Q. Okay. You've not heard anyone else discuss it in
7 a way that made you believe that they may have
8 actually been a witness to the dog bite?

9 A. No.

10 Q. Okay. To the best of your knowledge, you think
11 that Stacy Williams and the guy who owned the dog
12 were probably -- are the only two other people
13 that were in the vicinity of the incident other
14 than Krystal Mosholder?

15 A. To my knowledge.

16 Q. Okay. Has anyone else contacted you or members of
17 your store, your employees, saying that they had
18 additional information about this dog bite
19 incident of March 15th, 2018?

20 A. No, sir, not to my knowledge.

21 Q. Okay. So you said, I believe, that you've been
22 the store manager for the Brimfield location for
23 four years?

24 A. Going on four years.

25 Q. Going on four years. In that time can you -- I'm

1 assuming -- I'm going back now to what you were
2 saying about these incident reports that you would
3 see. I mean, if there were dog bites taking place
4 in the Brimfield location over the last four
5 years, fair or unfair, you would know about it?

6 A. I would know about it.

7 Q. Okay. Outside of this incident on March 15th,
8 2018 with Krystal Mosholder, are you aware of any
9 other dog bite scenarios in the Brimfield
10 location?

11 A. No, sir.

12 Q. Okay. What about other interactions with animals
13 that created an incident report?

14 A. No, sir.

15 Q. Okay.

16 A. No.

17 Q. Are you familiar with Lowe's pet policy?

18 A. Yes.

19 Q. So describe in your words Lowe's pet policy to me.

20 A. You can -- we're pet-friendly. You can bring your
21 pets in. They have to be on a leash and you would
22 assume any liability from the pet. In a nutshell.
23 It's like a three-page policy, I believe.

24 Q. Okay. Do you provide any training to your
25 employees on the pet policy?

1 A. Yep.

2 Q. Okay. Describe that to me. How does that work?

3 A. I'm not sure if it comes up in their annual
4 training, but I'm pretty sure that there are
5 policy reviews that come up and you just click on
6 them and read them. And I know that, you know, if
7 there was an incident in the store, the number one
8 thing that we would want them to do is get a
9 senior member of management involved right away.

10 Q. In order for me to bring my dog into your store,
11 does it have to be some type of an assistance
12 animal or can I just come in with my dog?

13 A. You can come in with your dog if it's on a leash
14 and it's a friendly pet, yeah.

15 Q. So who makes the determination of whether or not
16 that dog is friendly?

17 A. I guess it would be based off of the incident or
18 the actions of the dog.

19 Q. Okay. Do you know whether or not the dog that is
20 at issue in this particular incident had been in
21 your store prior to March 15th, 2018?

22 A. Yes, according to Stacy.

23 Q. According to Stacy?

24 A. Correct.

25 Q. Would Stacy Williams be the only source of your

1 information about whether or not that dog's been
2 in the store before or not?

3 A. That's -- yeah, that's the only person I ever
4 spoke to about that.

5 Q. Okay. Because I've talked to Stacy and I know
6 what she had to say about that. You've not talked
7 to anybody else that was able to tell you that
8 they've seen the dog in the store before March
9 15th, 2018?

10 A. No, not to my knowledge.

11 Q. What about since?

12 A. Honestly, to be honest with you, I couldn't pick
13 the dog out myself.

14 Q. Sure.

15 A. So there's -- probably. I mean, we have dogs that
16 have been in there, like, frequently, but, I mean,
17 I couldn't -- I couldn't tell you, to be honest.

18 Q. Do you think there's anybody at Lowe's that would
19 recognize this guy and this dog if he came in the
20 store today?

21 A. I would say yes, but, I mean, I know Stacy would
22 just because that's the only person that I know
23 who's dealt with the dog.

24 Q. Of course Stacy doesn't work there anymore.

25 A. Yeah.

1 Q. So -- okay. You think there would be anybody
2 else?

3 A. The only other persons or individuals that I would
4 probably go to first, say I were looking, would be
5 the pro desk, where she worked at, because, I
6 mean, that's her team members. So maybe them,
7 but --

8 Q. Okay.

9 A. But like I said, I couldn't pick the dog out.

10 Q. I gotcha. Okay. And I don't remember, in this
11 case, if I asked Ray this or not, do you know
12 whether or not Ray or anyone else that was
13 involved in investigating the incident asked any
14 of those other employees if they knew the dog and
15 the dog owner?

16 A. I'm not sure, but I'm pretty -- I would think that
17 Ray would have.

18 Q. Okay. You don't recall anybody telling you
19 specifically that they did that?

20 A. No.

21 Q. Okay. All right. So from a corporate level down
22 to you, I'm sure obviously you have various
23 communications with corporate folks all the time?

24 A. Correct.

25 Q. I'm assuming that the pet policy comes down from

1 somebody above you?

2 A. Correct.

3 Q. Okay. Have you had any conversations throughout
4 your time as the store manager at the Brimfield
5 location about the pet policy with folks that are
6 in the management above you?

7 A. With my boss, yes.

8 Q. And who is your boss?

9 A. Brett Bailey.

10 Q. And his title is what?

11 A. District manager.

12 Q. So he's a district manager. He oversees how many
13 stores?

14 A. Fourteen.

15 Q. Are they all in Ohio, to your knowledge?

16 A. Yes.

17 Q. So you said you've talked to Mr. Bailey about the
18 pet policy in the past?

19 A. Yeah, and it's in regards to this incident, so --

20 Q. In regard to this incident?

21 A. Correct.

22 Q. Okay. What was that conversation?

23 A. I was just asking him what did he think about the
24 policy. I mean, this is when this first,
25 initially came out. I didn't know -- you know,

1 this is before I probably even talked with Stacy.
2 I believe I called him and said, "Hey, just giving
3 you a heads-up," and then I just asked him what he
4 thought about this and he said, "Well, the policy
5 is the policy." So I went and looked at the
6 policy again and read it and went from there.

7 Q. And is the policy, we have a picture -- I guess I
8 could mark it and show it to you, but it's not
9 very legible. But is the policy, this pet policy,
10 posted on the door in the store?

11 A. Yes.

12 Q. And as far as you know, it was posted on the door
13 of the store on the day, March 15th, 2018?

14 A. Yes.

15 Q. Do you have any reason to believe it wasn't?

16 A. No.

17 Q. Now, you mentioned that the policy itself was like
18 a three-page policy?

19 A. Correct.

20 Q. Is all three pages of that consent shown on the
21 door of the store?

22 A. No. Just probably just the summary, we are pet
23 friendly and for, you know, friendly pets and
24 leashed, whatnot, so --

25 Q. So it covers the fact that the pet needs to be

1 friendly?

2 A. Yes.

3 Q. It covers the fact that it needs to be leashed?

4 A. I'm pretty sure. I know it says friendly.

5 Q. Okay. All right. So when you were talking to
6 Mr. Bailey about the policy --

7 A. I was pretty much talking to him about the
8 incident and then that's when, you know, he
9 mentioned the policy. So I re -- I mean, I don't
10 have the policy on me at all times, but I went and
11 grabbed the policy just to review it again.

12 Q. How long had it been since you had looked at that
13 policy prior to that day?

14 A. It's been a while. Since it first came out, we
15 had not had an incident, so there was no need for
16 me to do that.

17 Q. If you had to guess, how long has the pet policy
18 existed?

19 A. Wow. I'd say at least three years.

20 Q. Do you remember anything about when they rolled
21 that out, why they were doing it?

22 A. For service animals, I believe, and we are
23 pet-friendly. Most people, when they come to
24 our -- come to Lowe's and whatnot, they'll leave
25 their dogs in the car and there's an issue there,

1 stuff like that. So, I mean, I assumed that
2 that's mostly for service animals and whatnot.

3 Q. Okay. Have you encountered or come across
4 information about incidents of dog bites in other
5 Lowe's locations?

6 A. No, sir.

7 Q. Okay. Have you ever had any conversations with
8 any of the, you know, corporate folks or
9 management above you where they've discussed the
10 pet policy with you for additional training
11 purposes?

12 A. No, not to my knowledge.

13 Q. Okay. Have you ever been involved in any
14 conversations about the policy itself and whether
15 or not it should or shouldn't exist?

16 A. Not formally, I guess you can say. Just, you
17 know, with my team, asking questions, I mean. And
18 their main issue was cleanup for if there's a dog
19 accident in the store, which is the issues
20 that -- the issues that we have, so --

21 Q. Okay. Fair enough. So is this around the time
22 that the pet policy was rolled out for the first
23 time?

24 A. Yes.

25 Q. And so you did have some policy discussions, if

1 you will?

2 A. Yeah.

3 Q. But they were more along the lines of --

4 A. Who cleans up.

5 Q. -- Cameron, who is going to clean this up if this
6 dog takes a dump in the middle of the store?

7 A. Correct.

8 Q. I understand that. I think if I was an employee
9 of Lowe's on the floor, I would want to know the
10 answer to that, too. Did anybody talk about -- I
11 mean, can you recall any of those conversations
12 discussing, you know, a dog biting somebody?

13 A. No. We have a pretty -- a pretty good
14 pet-friendly store. I think the cleanup issue was
15 the biggest issue.

16 Q. Okay.

17 A. It has been the biggest issue.

18 Q. I understand. So did you bring that issue up to
19 Mr. Bailey?

20 A. No.

21 Q. Or any other corporate, you know, folks?

22 A. No. I mean, we -- we provide a clean, neat, safe
23 store, so we would address the issue, so --

24 Q. Okay. Have you ever been provided information or
25 training that you were told was a result of an

1 incident taking place in another store?

2 A. Overall?

3 Q. Let me back that up. That is a bad question. I'm
4 asking that question in the context of dog bites.

5 A. No.

6 Q. No?

7 A. No.

8 Q. Okay. Because I envision a scenario where
9 somebody does something with a forklift, for
10 instance, and an accident happens and that might
11 happen at a store in, you know, Toledo or
12 Oklahoma?

13 A. And that would result in some training.

14 Q. And that might result in some training across the
15 country?

16 A. Correct. Yes.

17 Q. So you have seen that happen?

18 A. Yes.

19 Q. You have not seen anything similar to that take
20 place as a result of a dog bite?

21 A. No.

22 Q. Okay. Do you have any knowledge about dog bites
23 that have taken place in other store locations at
24 all?

25 A. No.

1 Q. Have you ever seen any news reports about dog
2 bites that have taken place in other locations?

3 A. No.

4 Q. Even in other states?

5 A. No. I would personally assume it might have
6 happened, I mean, but I haven't seen anything.

7 Q. Sure. And again, I'm not trying to get into, with
8 you, necessarily the facts of this happened or
9 that happened. I'm asking whether or not you've
10 ever heard of it or seen it.

11 A. No.

12 Q. Okay.

13 A. Again, most of the things that I talk to my peers
14 about result around cleanup.

15 Q. Sure. Sure. Do you know or have you ever
16 personally met Krystal Mosholder, to your
17 knowledge?

18 A. Maybe. I have -- I assume I know who she is
19 because she's in the store a lot and because of
20 their business, but I've not formally met her, no.

21 Q. So you don't recall or you've never spoken to her?

22 A. If it's who I think it is, and I'm pretty sure it
23 is, I've said hello and she's said hello.

24 Q. You've never had any substantive conversations
25 with her?

1 A. No, sir.

2 Q. What about Danny Mosholder?

3 A. I know from when I purchased my home a long time
4 ago, but --

5 Q. Okay. Was he the Realtor on your home purchase?

6 A. I believe he was connected, but I don't think he
7 was the Realtor.

8 Q. Okay. Did you meet him during that process?

9 A. I think I met him 11 years ago, 10 years ago.

10 Q. Okay. Fair enough. But you haven't talked to him
11 since then?

12 A. No, sir.

13 Q. And you guys certainly aren't going to Browns
14 games together or anything like that?

15 A. No.

16 Q. Okay. You don't know the identify of the
17 gentleman that had that dog in the store that day,
18 do you?

19 A. No, I do not.

20 Q. Do you know anybody who might?

21 A. Just Stacy, maybe, but I know Ray was trying to
22 find out and I couldn't tell you.

23 Q. I know that Ray was looking at point-of-sale
24 information because we saw on the video that the
25 gentleman swiped a card.

1 A. Correct.

2 Q. And I think there's some belief that potentially
3 he may have used a gift card or something that we
4 can't track back, but other than looking at that
5 video and looking at that point-of-sale
6 information and what Stacy Williams may or may not
7 know, can you think of any way that I might be
8 able to identify who the name of that dog owner
9 is?

10 A. No. I mean, if I knew what the dog looked like, I
11 mean, because we have dogs in the store all the
12 time, so -- but not to my knowledge, no.

13 Q. Okay.

14 A. Especially if he used a gift card, because a gift
15 card wouldn't have a name attached to it.

16 Q. Yeah, and I don't know that that's actually the
17 case. I know that's one of the things we talked
18 about as a possibility. I do believe that Ray
19 attempted to find that information for me and
20 wasn't able to come up with a name. So, you know,
21 I was just looking for another angle. I'd like to
22 identify who this guy is.

23 So in any event -- okay. I think
24 inherent in your answers to some of my previous
25 questions you've somewhat answered this, but I

1 want to just make sure I'm clear. You had not had
2 any, in the time that you were the store manager
3 at Brimfield, you'd not had any other dog bite
4 incidents prior to March 15th, 2018?

5 A. No.

6 Q. And you've not had any since?

7 A. No.

8 MR. EOFF: Okay. Let's go off the record
9 for a second.

10 (Discussion off the record.)

11 MR. EOFF: Let's go back on the record.

12 BY MR. EOFF:

13 Q. So, Cameron, let me ask you, if I wanted to talk
14 to somebody at your store about incident reports,
15 is there anybody I could ask those questions of
16 that would have more knowledge than you?

17 A. No, but I would assume that my SMs have the same
18 knowledge as me.

19 Q. Okay. But no one's knowledge is going to be
20 superior to yours, right?

21 A. No. They would have the exact same -- they
22 should -- well, because when I'm not there, they
23 assume my role, so --

24 Q. Sure.

25 A. -- they should and so should my department

1 managers as well.

2 Q. If I wanted to talk to somebody about the security
3 cameras, the setup of the security cameras and
4 that type of thing, can I find somebody better to
5 talk to than Ray Petro?

6 A. In our store, probably not.

7 Q. Okay. Mr. Petro also, I know, looked into the
8 point-of-sale information.

9 A. Correct.

10 Q. Is there anybody that would be more knowledgeable
11 on that issue than Mr. Petro?

12 A. I'm pretty sure he used him to help him, but Chad
13 would have provided him assistance.

14 Q. The same Chad that we were talking about earlier?

15 A. Correct. Correct.

16 Q. Who would you feel is in your store, the Brimfield
17 location, who in your store would you believe to
18 be most responsible for the implementation and
19 maintenance of the pet policy?

20 A. Myself and my leadership team.

21 Q. Okay. So in terms of training of employees and
22 the results, maybe incidents related to the policy
23 and things of that nature between you and
24 Mr. Petro, I've talked to both of you now, is
25 there someone else that would have knowledge that

1 exceeds or, you know, would have -- they would
2 know something that you or Ray wouldn't know?

3 A. No.

4 Q. Okay.

5 A. Not to my knowledge.

6 Q. Okay. Is there anybody in a corporate structure
7 above store manager, whether it's Mr. Bailey or
8 somebody above him, that you know for a fact has
9 incidents related to the pet policy directed to
10 them for review?

11 A. Not to my knowledge.

12 Q. Okay.

13 A. I only know my store.

14 Q. Sure. Was this dog bite incident of March 15th,
15 2018 involving Krystal Mosholder reported to a
16 corporate level?

17 A. Once it was reported to us, yes. But at the
18 initial time of the incident, alleged incident,
19 there was no report given. Which is, you know,
20 the way things happen, if there's an incident, a
21 manager will get involved, take down the
22 information. That's where we would have got the
23 name of the dog owner.

24 Q. Sure.

25 A. And that's where we would have had everything

1 implemented.

2 Q. Well, eventually, Mr. Mosholder called the store?

3 A. Correct.

4 Q. And a report was made that this incident had taken
5 place?

6 A. Correct.

7 Q. That gets reported and it moves up to a corporate
8 level?

9 A. Correct.

10 Q. How? What happens?

11 A. It goes into our insurance and I'm sure after that
12 it goes to --

13 Q. So this is back to the Sedgwick?

14 A. Correct.

15 Q. Okay. So it goes to Sedgwick. You don't know
16 what happens after it gets reported to Sedgwick?

17 A. I'm pretty sure they get legal involved and that's
18 where everything starts to shake out. And what we
19 did is also we got Ray involved to start
20 collecting any kind of evidence or whatnot that we
21 would have.

22 Q. Do you know a gentleman named Joe Littaker?

23 A. No.

24 Q. Did you do anything to prepare for your deposition
25 today other than speak with counsel? I don't want

1 to know anything about that.

2 A. No.

3 Q. Okay. Did you look at anything before you came
4 here today?

5 A. Just a map to make sure I was going to the right
6 place.

7 Q. Fair enough. Fair enough. Did you talk to Chad?

8 A. We were initially supposed to come down last
9 Friday.

10 Q. Yeah.

11 A. And he's on vacation now, so no.

12 Q. Which, by the way, thanks for stiffing me. I was
13 sitting here waiting. I'm kidding.

14 Okay. So did you and Chad talk about the
15 incident at all?

16 A. We wondered why we were coming down for a
17 deposition.

18 Q. Okay. Fair enough.

19 MR. RESETAR: Probably cussing me out.

20 THE WITNESS: No.

21 Q. Because somewhere along the line Brian upset me
22 and so I'm taking it out on you. No, I'm kidding.
23 I'm kidding.

24 A. Don't worry, I'll get him back.

25 Q. That's not the case at all. All right. You've

1 not spoken with Stacy Williams recently?

2 A. She came in the store and said Mary Christmas and
3 said that she had been down here, and I assumed
4 everything was -- this was a couple weeks ago. I
5 had assumed everything was, like, done or whatnot.

6 Q. Did she talk about her deposition when she talked
7 to you?

8 A. No, she just said she came down here. And I think
9 at the time -- I think it was me and Chad, and we
10 were like, "For what?" And then she was like --
11 she had mentioned the dog bite incident. So then
12 right away I believe I kind of excused myself from
13 the conversation and called Ray to let Ray know
14 that she was in the store and she said that.

15 Q. Okay. All right. Did Ray seem to -- did he
16 remark about that at all? What did he say?

17 A. "Really," is what he said.

18 Q. Okay.

19 A. And that was a couple weeks ago.

20 Q. So, I mean, these conversations, you guys were
21 not -- you didn't discuss with Stacy what she
22 remembered or --

23 A. No.

24 Q. What I'm looking for is, did you get a refresher
25 course on the incident before you came today for

1 your deposition?

2 A. No. I just know around the issue just because, I
3 mean, I am the safety captain, so I talk about
4 every incident in the store.

5 Q. Sure. From a safety perspective, though, and from
6 an investigation standpoint, you don't believe
7 you've spoken with anybody other than Chad, Stacy
8 or Ray about this incident; is that correct?

9 A. Not to -- yeah, yeah, exactly. Well, maybe my
10 boss, letting him know.

11 Q. Mr. Bailey?

12 A. Mr. Bailey, letting him know about the incident.

13 Q. Okay. All right.

14 A. Which I would do with almost any safety incident
15 in the store, so --

16 Q. Sure. That makes sense. Well, Cameron, I
17 appreciate you taking your time to come see me
18 today. I know that there's other things you could
19 have done with your time and I appreciate you
20 taking the time to do that. Mr. Resetar has some
21 things he needs to say before we close the record
22 and I'll let him do that. But I'm done with your
23 deposition.

24 A. Thank you.

25 MR. RESETAR: Cameron, Anika has taken

1 down everything that you and Craig said and
2 she's going to transcribe it and put it on
3 paper. You have the right to read it before
4 it gets, quote, unquote, published. And when
5 I say "published," I mean just finalized.
6 You can't change the testimony, you can just
7 make sure she didn't make any mistakes or
8 inaccuracies.

9 I think this was pretty short. Like I
10 said, you have the right to read it before
11 she finalizes it or you can waive it. I
12 think, and it's your choice because it's your
13 testimony, but as Lowe's counsel, I think
14 it's okay if you waive it. But it's
15 completely up to you.

16 THE WITNESS: Okay.

17 MR. RESETAR: Are you okay with that?

18 THE WITNESS: Yes.

19 - - - - -

20 (The deposition was concluded at 9:49 a.m.)

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